

Whittlesea Community Connections Submission to the Review of Employment Services, February 2008

Background

Whittlesea Community Connections (WCC) is a not for profit community organisation providing services for over 34 years to those who are disadvantaged in the City of Whittlesea, in Melbourne's outer Northern suburbs. The organisation provides settlement services to newly arrived migrants and refugees, assists community members to volunteer, provides information, emergency relief and legal services as well as advocating for social change in the area. Over 150 community members are involved in the organisation as volunteers. A high proportion of volunteers, and most clients accessing WCC services are welfare recipients, and as such as impacted upon directly by any changes in the welfare system.

Whittlesea Community Legal Service (WCLS), a service of WCC has undertaken a short-term Law Reform Project focusing specifically on the impact of the welfare to work policies ("W2W") introduced by the Federal government in July 2006. The project focused on the impact of the W2W policy on Whittlesea community members and local organisations. This project adopted a collaborative approach, being conducted with other WCC programs, including;

- Volunteer Resource Service
- Settlement Team
- Emergency Relief and Client Services.

The aims of the project were to:

- Assess the impact of the W2W policy on volunteering, both on volunteers and volunteer-involving organisations
- Identify any effects of the W2W policy on newly arrived migrants and refugees
- Identify any particular concerns or issues in relation to the work practices, policies and processes of agencies responsible for the implementation of these changes (i.e Centrelink, Job Network, Job Capacity Assessors etc)
- Develop recommendations aimed at improving participation and employment outcomes for welfare recipients

In order to assess the impact of the W2W changes on clients and organisations, and understand the way the policy is experienced by those directly affected, a community consultation model was adopted. Qualitative methods were utilized including individual interviews, surveys and focus groups to generate a range of perspectives and generate information rich data. A purposive sampling strategy was adopted to recruit participants that would provide insight into the impact of the policy changes. Specifically, methods and participants included;

- a) 22 participants were volunteers from local organisations who completed a survey
- b) 10 participants attended a focus group

- c) 8 participants were interviewed
- d) 12 organisations participated through individual consultations
- e) 2 organisations participated through group consultations.

Ethics and limitations

While the project was promoted widely, and confidentiality and privacy were assured, it is recognised that many clients in receipt of Centrelink benefits were reluctant to participate, due to fear of repercussion. This can be seen to be in part, a result of the implementation of the policy, which has negative assumptions and has been characterised by mistrust of clients and their situations.

The law reform project formally commenced in November 2006 and is anticipated to be finalized in early 2008. It is noted that this project has sought to evaluate the raft of changes introduced by the Federal Government in phases at the early stage of their implementation, therefore may not have captured the full impact of these changes as they have been implemented. In addition, the project looks at only specific aspects of the known impacts of the changes, and acknowledges that there are many groups in the community who might be directly and significantly impacted by these changes (i.e indigenous people), but that the focus of the project has been on volunteering, the experiences of new arrivals and looks specifically at Whittlesea residents..

It is also acknowledged that the effects of the changes will take years if not decades to seep through the socio- economic, political and cultural domains of the Australian society. Significant amount of time and resources need to be devoted to the efforts to study, understand and properly evaluate the impacts of the changes as they become tangible and sustained. Hence, it is acknowledged that the study conducted at the early stage of the implementation of these changes is unlikely to capture the full extent of the impacts even on the limited aspects identified for this project.

Further, as a local agency mainly servicing the community in the Whittlesea local government area (i.e those who live, work or study within our catchment area) the project's consultation focus has been geographically limited to Whittlesea only. Though we have undertaken a number of consultations with peak bodies and statewide agencies as part of this project, the scope and functional reach of this project has remained local.

However, it is hoped that the information collated and findings made by our study will make valuable contribution to the emerging body of research focusing on the Welfare To Work changes and their impacts on the community at large. We also highlight that the local community of Whittlesea bears many characteristics indicative of high level of disadvantage and multi-faceted needs for service delivery which would render Whittlesea as one of the typical test grounds to gauge the true success of the reforms of welfare system.

Due to the limitation of time afforded to us in terms of formulating this submission (we have learnt about the invitation for submissions by the Government only belatedly; please find attached copy e-mail forwarded to the office of Hon Brendan O'Connor seeking an

extension of time), this submission only focuses on the following aspects: A full report on the project is available for further information. Rather, this submission will focus on;

1. Findings and Recommendations in relation to Centrelink, Job Network and Job Capacity Assessors;
2. Findings and Recommendations in relation to Volunteering;
3. Findings and Recommendations in relation to Migrants.

** Also find annexed submission made by Settlement Team of Whittlesea Community Connections to Department of Immigration And Citizenship (DIAC) in early 2007 on impacts of the Welfare to Work policies on new arrival migrants and refugees for further reference.*

A. Findings And Recommendations In Relation To Centrelink, Job Network And Job Capacity Assessors

- Centrelink and Job Network staff lack adequate training, skills and discretionary power to effectively support jobseekers with complex needs sensitively (i.e with mental or physical health issues/disabilities, those who have experienced domestic violence, war trauma etc.).
- The staff at Centrelink/Job Network/Job Capacity Assessors lack an understanding of the issues faced by the vulnerable jobseekers. There is lack of appreciation of the multiple challenges faced by jobseekers in terms of discrimination and work exploitation and that any assessment of their job capacity should involve a holistic assessment based on the individual circumstances of the particular jobseeker.

RECOMMENDATION 1: That ongoing training be provided to staff at Centrelink, Job Network and Job Capacity Assessors not just by way of one off induction sessions but in the form of more sustained, targeted professional development enabling them to understand the complex issues faced by vulnerable jobseekers.

RECOMMENDATION 2: Specialist positions that support those facing multiple barriers should also be further resourced to maximise employment opportunities for vulnerable clients (eg; Multicultural Service Officers, Customer Service Officers, Social Workers) and these positions should have the power to influence decisions, which relate to the type of payment, required obligations and any change in income

- There is a significant gap in communication between vulnerable jobseekers who are highly disadvantaged and Centrelink/Job Network/Job Capacity Assessors often due to sense of distrust, lack of understanding of the process and fear of repercussions on part of the job seeker. There is lack of awareness on part of the Centrelink /Job Network /Job Capacity Assessors of this barrier of communication and a lack of concerted and committed efforts to address this gap.

- Assessments made by Centrelink and Job Network do not often take account of the jobseekers circumstances for example by not asking enough questions or undertaking any in depth information gathering. Rather, they follow a mechanical process of data collection often setting off a "cycle of mistakes" i.e inadequate information gathering leading to inappropriate referrals resulting in distorted decision-making. Current assessors do not always have access to the same information as Centrelink staff and are therefore made without taking into account the jobseekers' circumstances.

RECOMMENDATION 3: That ongoing training be provided to staff at Centrelink, Job Network and Job Capacity assessors enabling them to communicate with the jobseekers, be aware of the factors inhibiting open communication and competently undertake comprehensive assessments. A review of the current Job Capacity Assessment process be urgently undertaken, with a view to changing this responsibility back to Centrelink

- The policy changes have been implemented with an underlying and negative assumption that clients need to be prevented from misusing the system. This has created a climate of distrust within the welfare and job search sectors.
- As such, job seekers have felt sense of disempowerment by the Welfare To Work processes and characterise their interactions with JN in particular as "demeaning treatment" where they are treated as numbers rather than persons. They view the regular attendance requirements at CL and JN to report their job search efforts as meaningless ritualistic processes that results in waste of time and energy for both jobseeker and the welfare system.

RECOMMENDATION 4: An overall cultural change is essential for clients, particularly those highly disadvantaged to be appropriately supported to find employment and other relevant pathway options. Essential to this is a review of the current focus on monitoring compliance of the jobseekers with the activity agreement through regular attendance and reporting requirements and a change with an emphasis placed on mutually productive meaningful engagement with a trust in jobseekers and the provision of adequate support to seek employment

- The current policy framework under which Centrelink, Job Network and Job Capacity Assessors operate does not encourage/enable the staff at Centrelink /Job Network/ Job Capacity Assessors to see their role as supporting and empowering jobseekers to obtaining and retaining meaningful employment.
- In particular, Job Networks operate under stringent performance targets with their funding being tied to rigid quantitative targets which only recognizes paid employment placements for jobseekers as an outcome for the purpose of funding.
- Similarly, Job Capacity Assessors are limited by their contractual obligations with the government and operate under strict time limits which do not allow enough scope for

them to undertake comprehensive assessments of the barriers experienced by the jobseeker.

RECOMMENDATION 5: That policies and processes be introduced and implemented to ensure that sufficient scope is allowed for the staff at Centrelink , Job Network or Job Capacity Assessors to see their role clearly as facilitators of the transition of jobseekers from welfare receipt to employment.

RECOMMENDATION 6: That the respective job description, allocated case work responsibilities and Key Performance Indicators of Centrelink, Job Network and Job Capacity Assessors be modified to generate flexibility in their roles to allow scope for them to be supportive of the jobseeker and expand their involvement with the jobseeker beyond monitoring their compliance with the Activity Agreements.

- The current processes have resulted in erosion of the distinction between specialist job networks (who have expertise and training to deal with people with special needs such as physical or mental disability) and generalist job networks and in many cases "mechanical referrals" are being made to generalist job network agencies who lack experience and training to deal with job seekers with complex needs. Also under the rigid operative framework of quantitative targets, even the specialist job networks are under intense pressure to mechanically process the jobseeker clients.

RECOMMENDATION 7: That the policy framework be revised to acknowledge the role of specialist Job Network agencies to deal with jobseekers with special and complex needs and sufficient funding be allocated to enable specialist Job Networks to preserve and expand their role in supporting jobseekers in finding work and support them whilst in work

- The emphasis of the Welfare To Work policies on obtaining any type of work is short-sighted and ineffective as in the absence of meaningful ongoing support to sustain employment, many jobseekers are likely to lose their job after a brief period of commencing employment and go through an alternating cycle of welfare dependency/employment/welfare dependency with devastating psychological consequences.
- Jobseekers have been coerced into taking employment which is unsuitable or in some cases dangerous to them (eg; older jobseekers undertaking personal care work in highly risky situations) and exploitation has been an outcome for many in this situation.
- Jobseekers feel they have little say or control in the types of jobs they may be required to accept, and they are reluctant and/or unable to make future plans (such as to volunteer) as they are required to accept any position that their Job Network Member deems suitable for them, often at very short notice

RECOMMENDATION 8: That the Welfare To Work policy framework be reviewed to shift the emphasis of the policies and processes from finding any type of work to exit the welfare system to assisting the jobseeker to find and retain meaningful employment at sustainable levels

- Many jobseekers find navigating the job networks difficult, with a lack of clarity about their rights and responsibilities. People are referred without an adequate explanation of processes and procedures, which results in confusion and frustration among both clients and organizations.
- There is lack of clear and established standards that are required to be adhered to by the staff at Centrelink /Job Network /Job Capacity Assessors when dealing with vulnerable jobseekers and this lack of common standards has led to inconsistent and haphazardous service delivery leaving jobseekers deeply dissatisfied and frustrated.

RECOMMENDATION 9: That national standards be set up for Centrelink, Job Network services and Job Capacity Assessors to be followed in dealing with the jobseekers with the aim of enhancing the overall quality of service provision to vulnerable clients.

- The current structure with Centrelink, Job Network and Job Capacity Assessors as the key players with shared decision making capacity is too "fragmented" and allows for significant passing of responsibility between agencies and precludes any single agency from taking responsibility for the failures of the overall system.

RECOMMENDATION 10: That there be a review of the Welfare To Work policies with the aim of closing the gaps in the system and ensuring that there are clear processes of accountability within the system and the responsibility of monitoring and complaint resolution be conferred on an external independent body (i.e Ombudsman)

- Despite significant lapse of time since July 2006, there is still high levels of uncertainty and confusion as to the application of the Welfare To Work policies to individual circumstances and this is exacerbated by lack of clear reference points in the system to obtain clarification. The interpretation of the Welfare To Work policies by the Centrelink and Job Network is not always internally consistent and often leaves the jobseeker confused and frustrated by the lack of clarity and certainty.
- There is lack of uncertainty and confusion as to the venues to appeal improper/incorrect decisions made by Job Network or Job Capacity Assessors. The complaint mechanisms established by the Department of Employment and Workplace Relations (DEWR) are not well known and often due to unfamiliarity with the appeal processes and distrust of the system (i.e the belief that "nothing much can be changed with the system") many dissatisfied jobseekers simply lump off their negative experiences and do not actively pursue any means of appeal.

- Many jobseekers are uncertain as to the options available for them to complain against their Job Network member or Job Capacity Assessor and their option to change the Job Network member if they are dissatisfied with the standard of care administered by them

RECOMMENDATION 11: That options available for jobseekers to change their Job Network members or ask for a review of the Job Capacity Assessment be widely promoted to encourage jobseekers to assert their rights and increase the accountability of the agencies involved

RECOMMENDATION 12: That the avenues for lodging a complaint and/or appealing against an adverse decision made by Centrelink /Job Network/Job Capacity Assessors be widely promoted and clear reference points be established to disseminate information in relation to the policies and practices of the welfare system among the community

- There is lack of consultation, information sharing and collaboration within Centrelink, Job Network and Job Capacity Assessors which undermines the effectiveness of the welfare system and the administration of the Welfare To Work policies.
- Job Network and Job Capacity Assessors lack knowledge of local services available and make inappropriate referrals to services located too far away, inadequately taking into account the transport disadvantage experienced by many jobseekers in remote areas causing significant hardship to them.
- There is significant lack of consultation between the Job Network and Job Capacity Assessors leading to inappropriate decisions in terms of job capacity of the jobseeker by Job Capacity Assessors who have "pulled the plug without knowing that they have done so" (i.e where a specialist job network has been involved with the jobseeker and assisted their participation in supported wages scheme etc, Job Capacity Assessors have made premature decisions inaccurately determining the jobseeker to be not eligible for the supported wages scheme and disrupted the employment assistance efforts already underway).
- There is lack of consultation between external service providers involved in the care of the jobseekers (i.e GPs, counsellors, settlement workers etc) despite the Job Network and/or Job Capacity Assessors having notice of it. Often Job Capacity Assessors and Job Network agencies are not proactive enough, do not obtain authority from the jobseeker to facilitate the exchange of information and do not undertake in depth information gathering. This lack of consultation has heightened the risk of incorrect assessments made on the basis of one off and incomprehensive Job Capacity assessments which in effect amount only to "a screening test".
- There is a marked tendency to "downgrade" support letters from treating doctors and other support workers who have been involved in the care of the jobseeker and their families.

RECOMMENDATION 13: That a holistic approach be adopted with the emphasis on proactive information gathering and collaboration between existing support structures of the job seeker with the aim of accurately identifying the barriers experienced by the job seekers and generating appropriate referrals for further support.

RECOMMENDATION 14: That a reference group model be adopted when dealing with vulnerable jobseekers who have been linked with a number of support structures already so that any assessment of their barriers to employment and job capacity be made on the basis of a comprehensive investigation where all the existing service providers have an opportunity to make their input.

- The promotion of Job Capacity Assessments as one stop assessment has set up unrealistic expectations which the system is under resourced to meet. Despite having a Job Capacity Assessment referral to support services made on their behalf, the jobseeker is subjected to lengthy waiting lists to access support services and are required to comply with the requirements of their Activity Agreement in the interim. This only causes greater sense of disillusionment in the jobseeker who has gone through "another layer of administrative process".

RECOMMENDATION 15: That coordinated funding planning be undertaken at all levels of government to ensure that the referrals made out of Job Capacity Assessments are promptly attended to and the exacerbation of stress due to administrative delays be minimized. As recommended above, that a review of JCA process be undertaken with a view to transfer this responsibility back to local Centrelink offices, and to incorporate a range of support workers in the decision making process (eg; Settlement workers, Social workers, Volunteer Organisations)

B. Findings and Recommendations in relation to Volunteering

- Welfare to Work policies have provided some community members (job seekers) with a link to volunteering, which they may not have otherwise had, and/or they have had positive experiences once commencing volunteering.
- Overall however, the policies have created immense frustration, anxiety, uncertainty and exacerbated stress among community members, particularly those aged 55-65 (when considering volunteering).
- There is a perception and experience by those interviewed of the removal of choice to volunteer. While clients may select to look for work, or volunteer for example, participants reported that these were not 'real' choices, and that 'many clients feel bullied and feel that they do not have a choice'.

- The requirements of 15 hours per week, 30 hours per fortnight to volunteer are extreme and blur the distinction between paid and voluntary work. This also put undue pressure on clients who have other commitments, and on organisations to offer more volunteer hours.

RECOMMENDATION 16: That volunteering be retained as an option available for jobseekers to enhance their employability and adequate measures be taken to ensure that volunteering remains a choice and not a mandated option for the job seekers under their Activity Agreements. Flexibility in hours depending on job-seekers' situations should be allowed.

- Job seekers of the age group of 55-65 have expectations of retirement, after years in the workforce, (often retrenchment or long-term injury gained from manual labour), and they feel 'belittled by the requirement to look for volunteer work' and find the volunteering requirement as too extensive and onerous.
- Participants felt a lack of recognition of the barriers faced by those aged 55-65, including:
 - Age discrimination in the workforce, desire for younger workers based on skills and cheaper wages
 - Physical limitations due to injury or life stage
 - Change in skills required in the workforce (eg; computers)
 - Caring responsibilities for a partner or grandchildren
 - Transport (cost, availability, time, accessibility) was identified as a particular barrier, in terms of both attending Job Network Member/Centrelink appointments and accessing volunteering.
- There is a feeling among those aged 55-65 that they are unfairly being targeted, without recognition of the above barriers or the support to access employment pathways.

RECOMMENDATION 17: That staff at Centrelink and Job Network be trained and better informed of the barriers experienced by those in the 55-65 age group to ensure that referrals for volunteering are made only where they are appropriate in context of the individual circumstances of the jobseekers of this age group.

RECOMMENDATION 18: That barriers to accessing employment be addressed, such as resourcing affordable, local, quality childcare for clients who are disadvantaged, and resourcing a range of transport options in recognition that lack of transport limits access to employment (eg; provision of funds to Job Network Member/Centrelink for use to access transport)

- There was a lack of recognition of the existing, less formal activities undertaken by this age group, particularly the care of grandchildren. Jobseekers identified the

irony in a policy aiming to get people into the workforce, but not supporting grandparents to assist with childcare for this to happen.

RECOMMENDATION 17: That informal volunteering activities undertaken by jobseekers be adequately recognized and the hours required by them to engage in formal volunteering under the Activity Agreements be modified to reflect this

- Jobseekers felt that discretion was not used to take into account their individual life situation, and acknowledge the above barriers. Specifically, those interviewed had experiences of chronic conditions (such as arthritis, stroke or long-term work-related injuries) but these were not taken into account by Job Network Member or Centrelink

RECOMMENDATION 18: That Centrelink and Job Network agencies apply discretion to modify the hours of required volunteering under the Activity Agreement to accommodate the limitations and barriers faced by jobseekers.

- Job seekers had experienced constant demands to attend appointments, complete paper work (repeating what they had already disclosed on many occasions) and attend appointments with Job Network and Centrelink, and often at very short notice. This created stress among those interviewed, and created a feeling of mistrust.
- While most issues related to those aged 55-65 in relation to volunteering, participants felt that those aged 21-55 should also have the option to volunteer and should be provided with right level of assistance to obtain and retain job (i.e training). The participants also felt that the Welfare To Work policies, through the onerous requirements placed on them have unfairly targeted them.

RECOMMENDATION 19: That the Welfare to Work policies be reviewed with the view of introducing flexibility in attendance requirements in relation to the jobseekers from 55-65 age group taking into account their added barriers and limitations for employment.

RECOMMENDATION 20: That community education be undertaken to address the divisive potential of the Welfare to Work policies and ensure that no particular groups in the community is exposed to unfair scrutiny.

- Agencies expressed concern that the Welfare to Work policies had generated increased number of inappropriate referrals to volunteering (eg; 'constant stream' of Centrelink recipients referred to volunteering, people not attending appointments/following through). They are faced with the dilemma of supporting/resourcing those reluctant to volunteer, but doing so to meet voluntary obligation.
- Many referrals for volunteering are made by Job Network agencies without any in depth assessment of the barriers experienced by the person to undertake meaningful

volunteering. Inappropriate referrals for volunteering are being made even where the jobseeker is not “volunteer ready”. This demoralizes and damages the motivation of the jobseeker to engage with the agency and undermines the capacity of the agencies to engage the jobseeker in mutually productive ways.

RECOMMENDATION 21: That staff at Centrelink and Job Network be adequately trained to identify barriers to volunteering experienced by jobseekers and ensure that referrals for volunteering are only made when the job seeker is in a position to undertake volunteering at sustainable levels.

- Agencies face considerable pressure to offer volunteer roles and times to meet Centrelink demands, which have in some cases conflicted with organisational or community priorities (eg; creation of 15 hours a week, new roles to accommodate volunteers skills).
- Many agencies lack additional resources to support the increased demands on volunteering (eg; no additional funds for volunteer coordination or training) and the increased administration and monitoring role (eg; signing fortnightly forms, regularly renegotiating participation contracts, receiving calls from Job Network member to verify volunteer hours) have taken a toll on the agencies as well. It has also changed the relationship with volunteers to one of monitoring rather than supporting involvement.

RECOMMENDATION 22: That agencies involving volunteers are provided with adequate level of funding to accommodate volunteers with complex needs and engage with them meaningfully. Volunteer-involving organisations should not be responsible for any monitoring or compliance and the administrative ‘paper work’ required should be minimized. A more trusting culture among Job Network Members would facilitate this effectively.

- Volunteer involving organisations (particularly resource centres) are perceived as ‘part of the system’, rather than independent (eg; complicate in accommodating volunteering requests), this damages reputation in the community and diminishes their important advocacy role.

RECOMMENDATION 23: That Centrelink and Job Network agencies enter into a constructive partnership with volunteer involving agencies relieving them from onerous requirements of monitoring compliance by jobseekers and enabling them to provide their objective feedback in relation to the working of the Welfare to Work policies and retain their role as independent advocates for community members.

- The erosion of the value and concept of volunteering as an activity undertaken by choice to benefit both the volunteer and the community is a major concern (eg; evidence in volunteer information sessions that these policies have impacted on people’s understanding of what volunteering means). This has resulted in the “abuse of the concept of volunteering”.

RECOMMENDATION 24: That a collaborative and empowering approach be adopted to volunteering requirement to ensure that choice of volunteering is preserved and real and meaningful opportunities are provided to both job seekers and volunteer involving agencies to utilize volunteering as a pathway to employment.

C. Findings and Recommendations in relation to MIGRANTS & REFUGEES

- Refugees who have recently arrived in Australia are required to enrol with a Job Network agency and look for work at the completion of their 510 hours of English classes (or their extended 800 hours at the discretion of the Job Network member). Often this significant language assistance "means nothing" to many refugees who lack any exposure to structured learning due to their disrupted past life patterns.
- Those with extensive caring responsibilities (i.e single refugee women with large family of young children with no family support) struggle to attend these classes regularly.
- The requirement to look for work often generates considerable stress and anxiety among recently arrived jobseekers and have a retrogressive impact on their efforts to overcome their past trauma and adjust to an alien environment and culture.

RECOMMENDATION 25: That compulsion to attend Job Network and look for work at the completion of free English classes be removed and any referral for Job Network agencies be based on case by case assessment looking at the individual circumstances holistically

RECOMMENDATION 26: That affordable childcare assistance be extended to families enabling migrants to access and fully utilise the English language assistance being offered

- Migrants under other visa categories (i.e spousal visa, skills visa) remain ineligible for free language assistance, and due to their limited financial means struggle to access paid assistance to learn English. Due to a lack of English language skills they are isolated from the mainstream society and struggle to access meaningful employment opportunities.

RECOMMENDATION 27: That free language assistance be extended to all migrants regardless of their category of migration with the aim of enhancing the prospects of employability

- Migrants with a disability and especially those with mental health issues face added hardship due to the stigma attached to disability in their communities, and lack of awareness of available support services. They often experience “double disadvantage” in accessing job market and effectively compete with other jobseekers.

RECOMMENDATION 28: That targeted community development efforts be made to enhance awareness of mental health issues and other disabilities among migrant communities to encourage migrants with disability to seek help and proactively address their added barriers to employment

- There is an under utilisation of interpreters by Job Network members which has exacerbated the communication barriers experienced by migrant jobseekers. Migrant jobseekers are not usually assertive enough to "ask for " interpreters and the failure to use interpreters have often resulted in loss of crucial information, adversely impacting on the proper identification of the barriers to employment experienced by these vulnerable jobseekers.
- There is considerable anxiety over the risk of breach of confidentiality by interpreters used by Centrelink and other agencies (and fear that "all members in the community will come to know about it") which dissuades many migrant jobseekers from disclosing and discussing personal factors (i.e mental health issues, domestic violence etc) that inhibit their capacity to work.
- Due to the overwhelming sense of fear and distrust towards all agencies seen to have been associated with Government, many migrant job seekers are reluctant to openly communicate with Centrelink, Job Network and Job Capacity Assessors and question any decisions made by them (i.e fear of adverse decisions impacting on their income support).

RECOMMENDATION 29: That staff at Centrelink, Job Network and Job Capacity Assessors adhere to a best practice model that actively engage with jobseekers (especially in the case of a migrant jobseeker) to ensure that they are fully informed of the process involved, options available to them and the avenues of appeal of any decision made impacting on their welfare

RECOMMENDATION 30: That interpreter usage be mandated in all interactions of staff at Centrelink, Job Network and Job Capacity Assessors with migrant jobseekers who lack command in English language

RECOMMENDATION 31: That the non-use of an interpreter be an automatic ground to appeal against a decision made in relation to a jobseeker's job capacity or income support

RECOMMENDATION 32: That sufficient resources be allocated to employ accredited interpreters and targeted training be provided to interpreters on client confidentiality and their compliance be subjected to close monitoring

- The current framework of Welfare To Work policies does not adequately recognize the pre-existing skills of migrant job seekers but rather subjects them to mechanical "one size fits all " requirements which largely relegates recent arrivals for menial jobs at reduced payment rates.
- The Welfare To Work policies do not adequately recognize the particular challenges and limitations faced by migrant job seekers such as their lack of understanding of the Australian workplace practices (i.e unfamiliarity with resumes and interview processes), lack of recognition for their overseas qualifications, lack of prior Australian work experience as well as workplace realities such as discrimination on basis of accent, race, religion etc. which render the Australian workplace far from being a "level playing field".

RECOMMENDATION 33: That sufficient resources be allocated to fund positive intervention strategies that provide targeted training to migrant jobseekers aimed at addressing their specific barriers to employment and enhance their employability

RECOMMENDATION 34: That adequate funding be allocated to generate meaningful work placements that recognize and build on the pre-existing skills base of migrant jobseekers

- There is considerable fear and anxiety among migrant communities in relation to the perceived impacts of Welfare To Work policies and in certain cases women in abusive relationships are reluctant to leave their husbands/partners out of fear that they are unable to cope with the stringent requirements to look for work.
- There is lack of awareness in relation to the applicable exemptions which allow "breathing space" for those who have experienced domestic violence from requirements to look for work.
- However, the thirteen week exemption is viewed as "too short and temporary" and lacks recognition that recovering from the trauma of domestic violence is a long healing process and that premature pressures to look for work may exacerbate the stress experienced by many victims of domestic violence. Attendance at counselling sessions and group activities with other survivors with the purpose of coming to terms of the trauma and building up self-confidence all form part of a long term strategy of recovery. Whilst employment is an important part of moving on, the Welfare To Work policies have exerted undue pressure on victims of domestic violence to become job ready prematurely.

RECOMMENDATION 35: That community education be undertaken especially among migrant communities to improve awareness of the availability of exemptions from requirement to look for work in domestic violence situations

RECOMMENDATION 36: That policies and practices regarding the application of exemption from the requirement to look for work be reviewed with the view of better accommodating the challenges faced by victims of Domestic violence to overcome their trauma and be able to effectively participate in the workplace

RECOMMENDATION 37: That accessing and participating in therapeutic assistance with the view of recovering from the trauma of domestic violence be recognised as part of job preparatory efforts, extending the exemption from requirements to look for work immediately

D. Appendix

1) E-Mail Correspondence

Dated 12 February 2008

Dear Mr Robertson,

I refer to our brief telephone conversation this morning. I am a community lawyer and I have been involved in a law reform project conducted by our organisation Whittlesea Community Connections (Victoria) on Welfare to Work policies since December 2006.

I understand that the new Government has invited submissions on review of employment services and that these submissions are due by 13th of February 2008 (tomorrow). I note with regret that we were not aware of this deadline and would really appreciate if some further time is afforded to us to make submissions based on findings emerging from our law reform project.

I also understand that the invitation for submissions is not widely known by many in our sector and there would be a number of agencies which might be interested in making contributions if further time would be allowed.

Kindly advise whether any extension of time could be allowed for the purpose of this review.

Regards

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2. Submissions by Settlement Team, Whittlesea Community Connections to Department of Immigration and Citizenship

Welfare to Work: Impacts on New Arrival Migrants and Refugees

- 1) Are you and your colleagues aware of any positive or negative experiences that CALD clients have had with the Welfare to Work Policy?

What aspects of the Welfare to Work Policy have had a positive impact on CALD clients?

What aspects of the Welfare to Work Policy have had a negative impact on CALD clients?

- The Welfare to Work Policy has created additional stress for new arrival migrants and refugees during the settlement period. This is particularly the case for older new arrivals undertaking formal education for the first time and single parent households arriving under the Women at Risk visa.
- Resettlement does not necessarily reduce the risk single parents face. Single parent households, supporting more than 3 children are common new arrival household types. These households are experiencing extreme financial hardship, as many women cannot manage household expenses on one income. Financial hardship is exacerbating feelings of isolation and disconnection from the wider community. Indeed women in these situations have indicated a strong desire to learn English and gain employment but are finding it difficult due to child-care issues. Additional support for this group is urgently required.
- Welfare to Work does not recognize the cultural, racial and religious barriers new arrival migrants and refugees face. Many new arrivals experience discrimination and racism in the wider community and particularly in the private sector. This impacts on their capacity to access meaningful economic and social opportunities.
- Many new arrivals are managing changing family structures and roles, which has significant impacts on the health and well-being and settlement outcomes of new arrivals. Migrant and refugee women, who may be entering the private labour market for the first time, creates another complex layer to this, which can further impact on family structure, conflict and breakdown. New arrivals need culturally appropriate information and support through this transition not currently provided by Welfare to Work.
- For new arrivals entering the job search system for the first time, there is very limited consideration of level of English proficiency. In effect, new arrivals are forced to search for work despite significant communication barriers. New arrival

migrants and refugees are therefore limited to low- skilled and low- paid positions. This is an ineffective use and integration of prior skills and knowledge and creates a hidden level of systematic discrimination.

- Welfare to Work policies are not adequately explained and clients remain unaware of their rights and responsibilities within the new policy context. Correspondence written in English is not easily understood and clients cannot always access help with translation until dates requiring action have lapsed. This lack of clarity and understanding places new arrival clients at greater risk of breaching obligations and having income payments reduced as a consequence.
- The agency now responsible for the Job Capacity Assessment does not have access to the same information as Centrelink staff. Assessments may therefore be made without knowing clients are newly arrived and what exemptions they may be eligible for. This will force some new arrival refugees to meet mutual obligation requirements before they have the capacity to do so.
- Changing responsibility for undertaking Job Capacity Assessments will also have an impact on refugees experiencing issues relating to torture and trauma. This is a hidden, not always disclosed by refugee clients, particularly when dealing with government agencies. Comprehensive and sensitive assessments and referrals to appropriate support services needs to be ensured for refugee clients. This is integral to prevent the re-traumatisation of vulnerable clients.
- The 12- week exemption under mutual obligations will be reduced to 3 weeks and might also become discretionary. Expectations will be dependent on the decision-makers' awareness of refugee issues and result in different outcomes for different entrants. The danger is that the new system will lack clarity and transparency, adding to the difficulties new arrival refugees already face.
- There is extreme difficulty in navigating job networks. In particular, the lack of clarity regarding client rights and responsibilities has caused a great deal of frustration for clients and service providers. There are cases of older people in particular, with very little English skills being referred without appropriate explanation of the processes and expectations. Placing some new arrival humanitarian entrants within this system seems to have caused additional stress. Providing feedback to DEWA about job networks is urgently needed.
- The new changes that require those aged 55-65 to undertake an activity requirement/mutual obligation have caused concern among many CALD clients in this age group. Clients in this age group, particularly older migrants, face numerous barriers to meeting activity test requirements (such as volunteering, job search) due to caring responsibilities for grandchildren, or sick partners/family members, injuries resulting from their working life (eg; often older CALD clients have long-term injuries resulting from factory work/manual labour). Additionally, many CALD clients in this age group have numeracy and literacy issues, as well as limited English, which means that understanding and responding to correspondence by Jobnetwork members is difficult. Clients in this age group also face significant discrimination, both on the basis of age and cultural background, in their attempts to look for employment, which does not seem to be taken into

account by JNM's. Rather clients are left to feel responsible for the fact they cannot obtain employment.

- Additionally, for those clients who select volunteering as an activity to meet their activity test requirements, there is limited scope to include voluntary activities that are undertaken informally, often within CALD communities (eg; older migrants visiting or driving other older migrants to health appointments, assisting other newly arrived migrants settle in Australia, attending senior or community groups). There are also barriers for CALD clients accessing the type of volunteer roles considered suitable to meet activity test requirements (eg; formal volunteer roles, in organisations) due to language skills, which may require certain language skills).
 - The policy changes have had additional impacts on those who are newly arrived to Australia. Many new arrivals have difficulty understanding the welfare/job network system, are not familiar with the rigid appointment processes adopted by JNM's and have difficulty in understanding and responding to correspondence due to limited English skills. Accessing transport and childcare is an additional barrier for new arrivals, particularly in meeting activity test requirements (eg; getting to place of volunteer work). While new arrivals are often keen to obtain employment to support themselves & their families, and the stated intention of the welfare to work policy is to support people into the workforce, the current changes have not provided adequate support to many new arrivals to gain employment. For example, some new arrivals do not have an understanding of employment sector in Australia, need additional assistance with job search skills in an Australian context. While more new arrivals and CALD clients may be in contact with employment service providers (JNM's) since the welfare to work policy has been introduced, this has resulted in confusion and frustration, rather than increased confidence, job search skills or employment outcomes.
- 2) Are there any changes or amendments that you would make to the Welfare to Work Policy?
- The current experience of settlement and related casework indicates there is a great deal of confusion between Centrelink and job network roles, procedures and policies. Greater clarification of roles with clients and service providers is needed.
 - The 12- week exemption for new arrivals under mutual obligations needs to be secured. In addition, capacity to extend this time should be granted, this is particularly important for clients from small and emerging refugee communities who are facing significant settlement barriers and lack the appropriate support networks.
 - Centrelink staff, particularly Multicultural Service Officers and Social Workers should have the power to influence decisions, which relate to the type of payment, required obligations and reduction or change in income. Other relevant service providers such as IHSS, SGP, AMEP and VFST should also be part of this process and be able to advocate for client needs.

- A formal and in- depth evaluation of job networks' quality of service and effectiveness of outcomes is urgently needed. Capacity of job networks to support complex clients who are highly disadvantaged should be integral to this review.
- New arrival refugee communities require additional support and focus on preparing for work. This includes rights and responsibilities and cultural contexts within the Australian work place. Without this information, migrants and refugee are at higher risk of discrimination in the private sector.
- Welfare to Work policy changes have been implemented with an underlying and negative assumption that clients need to be prevented from misusing the system. This has created a climate of distrust within the welfare and job search sectors. An overall cultural change is essential for clients to be appropriately supported to find employment and other relevant pathway options. Anecdotal evidence indicates that migrants and refugees have a strong desire to work, however in order to achieve this, gaining the right opportunities in a supportive environment are essential.